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ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

TOM PETRUS & MILLER, LLC

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FEB 10 2005

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at 10 o'clock and 58 min. M.
WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
STATE FARM FIRE & CASUALTY
COMPANY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

STATE FARM FIRE & CASUALTY
COMPANY,

Plaintiff,

vs.

RICHELLE M. THOMASON,
RICHARD H. THOMASON, FIDELITY
MANAGEMENT, INC., THE
ASSOCIATION OF APARTMENT
OWNERS OF TWIN TOWERS, INC.,

Defendants.

) CIVIL NO. CV04-00100 ACK/BMK
)
) PLAINTIFF STATE FARM FIRE &
) CASUALTY COMPANY'S
) NOTICE OF WITHDRAWAL OF
) PLAINTIFF STATE FARM FIRE &
) CASUALTY COMPANY'S
) MOTION FOR SUMMARY
) JUDGMENT AS TO DEFENDANT
) RICHARD H. THOMASON, FILED
) NOVEMBER 1, 2004;
) CERTIFICATE OF SERVICE
)

) Hearing Date: February 22, 2005

) Time: 9:00 a.m. 9:30 am

Judge: Hon. Alan C. Kay

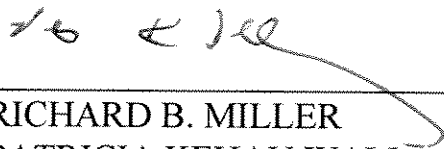
Withdrawal of MSJ.wpd

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**PLAINTIFF STATE FARM FIRE & CASUALTY COMPANY'S NOTICE
OF WITHDRAWAL OF PLAINTIFF STATE FARM FIRE & CASUALTY
COMPANY'S MOTION FOR SUMMARY JUDGMENT AS TO
DEFENDANT RICHARD H. THOMASON, FILED NOVEMBER 1, 2004**

Plaintiff STATE FARM FIRE & CASUALTY COMPANY (hereinafter "STATE FARM"), by and through its attorneys, Tom Petrus & Miller, LLC, hereby withdraws without prejudice its Motion for Summary Judgment as to Defendant Richard H. Thomason, Filed on November 1, 2004 set for hearing on February 22, 2005 at 9:00 a.m. before the Honorable Alan C. Kay. State Farm's Motion for Summary Judgment as to Defendant The Association of Apartment Owners of Twin Towers, Inc. and Motion for Default Judgment as to Defendant Richelle Thomason and Fidelity Management, Inc. remains scheduled for hearing on February 22, 2005.

DATED: Honolulu, Hawaii, FEB 10 2005.



RICHARD B. MILLER
PATRICIA KEHAU WALL
Attorneys for Plaintiff
STATE FARM FIRE & CASUALTY
COMPANY

FOR THE DISTRICT OF HAWAI'I

Defendants.

CERTIFICATE OF SERVICE

The undersigned hereby certify that foregoing document will be duly served
via **HAND DELIVERY** and/or **U.S. Mail**, to the following persons as indicated
below on FEB 10 2005:

Richard H. Thomason, Esq.
409 Opihikao Place
Honolulu HI 96825

Defendant

CARL SOTO, ESQ.
1717 Mott-Smith Dr., Ste. 2406
Honolulu, Hawaii 96822

Attorney for Defendant
ASSOCIATION OF APARTMENT OWNERS OF
TWIN TOWERS, INC.

DATED: Honolulu, Hawaii, FEB 10 2005.

to see

RICHARD B. MILLER
PATRICIA KEHAU WALL
Attorneys for Plaintiff
STATE FARM FIRE & CASUALTY
COMPANY